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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2734 of 2001

Between:

1 I.Krishna Muthry Goud son of late I.Laksman Goud
H.No. SI-B5, Secretariat colony, Vansasthalipuram
Hyderabad-70
2 T.Krishna Prakash son of T. Venkatesham
H.No. B-33, Vanasthalipuram Hyderabad-70
3 P.Gopal Rao son of P.Narayana rao
H.No. B-30, Vanasthalipuram Hyderabad-70

..... PETITIONER(S)

AND

1 The Secretary Municipal Administration & Urban Development, Govt of AP,
Secretariat, Hyderabad
2 The District Collector Ranga Reddy District
Ranga District
3 The Commissioner L.B.Municipality
L.B.Nagar Hyderabad
4 The Chairman Managing Director
AP Pollution control Board
AP. Hyderabad

5. Smt K.Uma Rani, w/o Srinivas,
aged about 31 years, Occ Councillor

Ward No.11, L.B.Nagar Municipality
Ranga Reddy district, r/o Vanasthalipuram,
Ranga Reddy district.

6. Sri T.Yadagiri Reddy, s/o T.Ram Reddy
aged about 38 years, Occ Councillor,
Ward No.9, L.B.Nagar Municipality,
Ranga Reddy strict, r/o Plot No.5,
S.F.Colony,Vanasthalipuram, Ranga Reddy dist.

7. Smt S.Bhramara, w/o S.Ram Mohan,
aged about 34 years, Occ: Councillor,
Ward No.10, L.B.Nagar Municipality,
Ranga Reddy district, r/o 1360 B,
NGO's colony, Vanasthalipuram,
Ranga Reddy district.

8. Sri M.Jangaiah, s/o Bazar,
aged about 32 years,
r/o plot No.50, Andhra Kesari Nagar,
Road No.1, Vanasthalipuram, Ranga Reddy district.

9. Sri N.Anjan Kumar Goud, s/o N.Eashwaraiah Goud,
aged 32 years, Occ: Councillor,
Ward No.8, LB.Nagar Municipality,
Ranga Reddy district, r/o 1-117,
Sahebnagar, Vanasthalipuram,
Ranga Reddy district.

(Respondent No.4 is impleaded as per Order of the Court dated 7-9-2001 in W.P.M.P.No.9799 of 2001.

Respondent Nos.5 to 9 are impleaded as per Order of the Court dated 16-6-2004 in W.P.M.P.No.6235 of 2001).

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, restraining the respondent from dumping waste material in the area in between the residential houses comprising of Sector 1, phase 3 of Secretariat colony and Phase 1 of Vanasthalipuram colony contrary to the order of the second respondent dated 25/05/2000

For the PetitionerS:SMT.V.MEENAKSHI, advocate

For the Respondent No.1: Gp For Muncipal Admn & Urban Dev.

For the respondent No.2: GP for Revenue

For the respondent No.3: SC for Municipality

For the respondent No.4: Sri S.V.Bhatt, advocate

For respondent Nos.5 to 9: Sri G.Ravi Mohan, Advocate

The Court made the following order:

(per The Hon'ble The Chief Justice Sri Devinder Gupta)

On 16-2-2001 this petition was filed as PIL seeking direction against respondents from dumping waste material in the area in between the residential houses comprising sector I, phase III of Secretariat Colony and phase I of Vanasthalipuram Colony contrary to the orders of the 2nd respondent, dated 25-5-2000.

On 26-2-2001 the matter was taken up, the learned standing counsel for the Municipality on the basis of written instructions submitted that the place in question was not being used by Municipality for dumping garbage as at present and that Municipality had already identified alternative site for dumping the garbage. This statement was refuted by the learned counsel for the petitioners who submitted that dumping operation was still continuing despite identification of alternative site. It may be noticed that even according to the Municipality the land in question cannot be used and utilized for dumping garbage since it is in the midst of the residential colony and that dumping would lead to health hazards. In these circumstances, interim directions were issued by the Court directing the respondents not to use the land in question for dumping garbage. The order continued to remain in operation. Affidavits thereafter have been filed and A.P. Pollution Control Board has also been impleaded as party.

There is no dispute that area in question is the core of residential locality and not meant for being used for dumping garbage. Even according to Municipality, alternative site for dumping garbage has been identified. In these circumstances, we dispose of this writ petition by making the interim order absolute and as final order in the writ petition directing that land in question will not be used by the respondents for dumping any garbage.

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1. The Secretary Municipal Administration & Urban Development
   Govt of AP Secretariat, Hyderabad
2 The District Collector Ranga Reddy District
   Ranga District
3 The Chairman Managing Director
   AP Pollution control Board AP. Hyderabad

4 The Commissioner, L.B.Nagar Municipality, L.B.Nagar, Hyderabad.

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